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This form must be completed so HUD can pay owners an amount to offset vacancy costs during rent up.

Regulations require that owners complete this form using statutory formulas for calculating vacancy rent up.

The statutes requiring the submission are S8, United States Housing Act (42 U.S.C. 1437f); Section 202 of the Housing Act of 1959 as amended by Section 801 of the National Affordable Housing Act (12 U.S.C. 1701(g)); and Section 811 of the National Affordable Housing Act (42 U.S.C. 8013). The regulations stipulating these rules are: 24 CFR 880, 881, 883, 884, 886, and 891. The administrative requirements for these forms are provided in HUD Handbook 4350.3, Rev. 1, Chapter 9.

HUD does not promise confidentiality but will not disclose data on a specific project or tenant. No questions of a sensitive nature are asked in this form.

The Department of Housing & Urban Development is authorized to collect this information by the U.S. Housing Act of 1937, as amended. The owner/agent must

provide all this information. The information provided will be used by HUD to review accuracy of funds requested by owner/agent for vacancy losses during rent up. HUD may disclose this information to Federal, state, and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. Otherwise, it will not be disclosed or released outside of HUD, except as permitted or required by law. Providing all information is mandatory, and failure to provide information will affect participation in HUD programs.

Public reporting burden for this collection of information is estimated to average 0.33 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

## **Appendix 2B**

### **SAMPLE CHECKLIST**

#### Special Claim for Vacancies During Rent-Up

Property Name: \_\_\_\_\_

Contract No. \_\_\_\_\_

Attach the following items to the claim submission

1. \_\_\_\_\_ Completed form HUD-52670-A, Part 2
2. \_\_\_\_\_ Completed form HUD-52671-B.
3. \_\_\_\_\_ A list of all units leased and available for lease as of the effective date of the Permission to Occupy (form HUD-92485 signed by the HUD Architect or Engineer) or the effective date of the contract, whichever is later. Also include justification for all un-leased units explaining why they remain vacant.
4. \_\_\_\_\_ Evidence that marketing began not less than 90 days prior to initial occupancy, including copies of advertisements, or invoices for advertising expenses substantiating the date marketing began and a copy of the waiting list.
5. \_\_\_\_\_ Waiting-list documentation. Documentation should include the outcome of applicant contacts, (i.e. date applicant was contacted, response of applicant and the status of applicant's move-in).
6. \_\_\_\_\_ Copies of letters to rejected applicants demonstrating rejection for good cause.

## **Appendix 2C**

### **SUGGESTED WAITING LIST GUIDELINES**

#### **A. Updating Waiting lists.**

1. Waiting lists must be kept current, and should be updated at least annually.
2. Owners are required to develop a written "Waiting List Policy" outlining the following as required by Handbook 4350.3 REV-1:
  - How often an applicant must contact management to stay active on the list.
  - Method for contacting management (telephone, mail, etc.).
  - A recording process to be used by management.

- How often an applicant will be offered a unit before they are either removed or dropped to the bottom of the waiting list.
3. Send a letter to each applicant stating your “Waiting List Policy” and asking him or her to respond. The letter should cover the following:
    - Request a response from the applicant that includes applicant’s name, level of interest in remaining on the waiting list, any change in eligibility status, family size, unit size needed and need for Section 8 assistance (if project has both market and affordable units).
    - The letter should also indicate a date by which a response is needed, and notify the applicant that he/she may be removed from the waiting list if there is no response. If the applicant does not respond by the deadline date, make one attempt to contact.
    - Remind the applicant of the necessity to report any changes in address or telephone number.
  4. Document all actions taken with copies of letters sent, those returned undeliverable, follow-up responses, and action taken. Retain applications and documents for three years after placing in the inactive file. Document waiting list status.

B. Pre-Certify the top applicants for each unit size.

1. Owners/agents should determine the project’s average annual turnover rate, and at all times have the top 2 or 3 applicants from the waiting list, for each bedroom size, verified and ready to move at the earliest time possible after being notified.
2. In most instances, an incoming tenant will have to give his or her current landlord proper notice. However, the tenant should be certified in advance to shorten the process.
3. Applicants that have been certified for occupancy should be placed in a file marked “Ready for Move-In”. The file should be updated on a regular basis to ensure the verifications are valid as outlined in HUD Handbook 4350.3 REV-1.